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A limited liability partnership formed in the State of Delaware

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GERALD L. FLETCHER,

Plaintiff,

vs.

ELI LILLY AND COMPANY,

Defendant.

No. C 06-1294 JSW

Before the Honorable Jeffrey S. White

**~~[PROPOSED]~~ ORDER VACATING  
AND/OR CONTINUING CASE  
MANAGEMENT CONFERENCE**

For the reasons set forth in the Joint Case Management Conference Statement, the Court  
hereby ~~continues~~ **VACATES** the December 1, 2006, Case Management Conference ("CMC") to  
\_\_\_\_\_, at \_\_\_\_\_, by which time this case will likely have been transferred to  
the Eastern District of New York as part of MDL No. 1596 — In re Zyprexa Liability Litigation. In  
the event this case is not transferred to the MDL far enough in advance of the new CMC date, the  
parties shall file a Joint CMC Statement at least 7 days before the new CMC date.  
the parties shall file a joint request to have the matter placed back on the Court's calendar.

IT IS SO ORDERED

DATED: November 21, 2006

  
The Honorable Jeffrey S. White